

Senate Engrossed House Bill

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
House of Representatives
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CHAPTER 196

HOUSE BILL 2643

AN ACT

AMENDING SECTIONS 32-2001, 32-2002 AND 32-2043, ARIZONA REVISED STATUTES;
RELATING TO THE BOARD OF PHYSICAL THERAPY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-2001, Arizona Revised Statutes, is amended to
3 read:

4 32-2001. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Assistive personnel" includes physical therapist assistants and
7 physical therapy aides and other assistive personnel who are trained or
8 educated health care providers and who are not physical therapist assistants
9 or physical therapy aides but who perform specific designated tasks related
10 to physical therapy under the supervision of a physical therapist. At the
11 discretion of the supervising physical therapist, and if properly
12 credentialed and not prohibited by any other law, other assistive personnel
13 may be identified by the title specific to their training or education. This
14 paragraph does not apply to personnel assisting other health care
15 professionals licensed pursuant to this title in the performance of delegable
16 treatment responsibilities within their scope of practice.

17 2. "Board" means the board of physical therapy.

18 3. "GENERAL SUPERVISION" MEANS THAT THE SUPERVISING PHYSICAL THERAPIST
19 IS ON CALL AND IS READILY AVAILABLE VIA TELECOMMUNICATIONS WHEN THE PHYSICAL
20 THERAPIST ASSISTANT IS PROVIDING TREATMENT INTERVENTIONS.

21 ~~3-~~ 4. "Interim permit" means a permit issued by the board that allows
22 a person to practice as a physical therapist in this state or to work as a
23 physical therapist assistant for a specific period of time and under
24 conditions prescribed by the board before that person is issued a license or
25 certificate.

26 ~~4-~~ 5. "Manual therapy techniques" means a broad group of passive
27 interventions in which physical therapists use their hands to administer
28 skilled movements designed to modulate pain, increase joint range of motion,
29 reduce or eliminate soft tissue swelling, inflammation, or restriction,
30 induce relaxation, improve contractile and noncontractile tissue
31 extensibility, and improve pulmonary function. These interventions involve a
32 variety of techniques, such as the application of graded forces.

33 ~~5-~~ 6. "On-site supervision" means that the supervising physical
34 therapist is on site and is present in the facility or on the campus where
35 assistive personnel or a holder of an interim permit is performing services,
36 is immediately available to assist the person being supervised in the
37 services being performed and maintains continued involvement in appropriate
38 aspects of each treatment session in which a component of treatment is
39 delegated.

40 ~~6-~~ 7. "Physical therapist" means a person who is licensed pursuant to
41 this chapter.

42 ~~7-~~ 8. "Physical therapist assistant" means a person who meets the
43 requirements of this chapter for certification and who performs physical
44 therapy procedures and related tasks that have been selected and delegated by
45 the supervising physical therapist.

1 ~~8-~~ 9. "Physical therapy" means the care and services provided by or
2 under the direction and supervision of a physical therapist who is licensed
3 pursuant to this chapter.

4 ~~9-~~ 10. "Physical therapy aide" means a person who is trained under
5 the direction of a physical therapist and who performs designated and
6 supervised routine physical therapy tasks.

7 ~~10-~~ 11. "Practice of physical therapy" means:

8 (a) Examining, evaluating and testing persons who have mechanical,
9 physiological and developmental impairments, functional limitations and
10 disabilities or other health and movement related conditions in order to
11 determine a diagnosis, a prognosis and a plan of therapeutic intervention and
12 to assess the ongoing effects of intervention.

13 (b) Alleviating impairments and functional limitations by managing,
14 designing, implementing and modifying therapeutic interventions including:

15 (i) Therapeutic exercise.

16 (ii) Functional training in self-care and in home, community or work
17 reintegration.

18 (iii) Manual therapy techniques.

19 (iv) Therapeutic massage.

20 (v) Assistive and adaptive orthotic, prosthetic, protective and
21 supportive devices and equipment.

22 (vi) Pulmonary hygiene.

23 (vii) Debridement and wound care.

24 (viii) Physical agents or modalities.

25 (ix) Mechanical and electrotherapeutic modalities.

26 (x) Patient related instruction.

27 (c) Reducing the risk of injury, impairments, functional limitations
28 and disability by means that include promoting and maintaining a person's
29 fitness, health and quality of life.

30 (d) Engaging in administration, consultation, education and research.

31 ~~11-~~ 12. "Restricted certificate" means a certificate on which the
32 board has placed any restrictions as the result of a disciplinary action.

33 ~~12-~~ 13. "Restricted license" means a license on which the board places
34 restrictions or conditions, or both, as to the scope of practice, place of
35 practice, supervision of practice, duration of licensed status or type or
36 condition of a patient to whom the licensee may provide services.

37 Sec. 2. Section 32-2002, Arizona Revised Statutes, is amended to read:

38 32-2002. Board of physical therapy; appointment; qualifications

39 A. The board of physical therapy is established consisting of five
40 members appointed by the governor pursuant to section 38-211. ~~Three~~ FOUR
41 members shall be physical therapists who are residents of this state, possess
42 an unrestricted license to practice physical therapy in this state and have
43 been practicing in this state for at least five years before their
44 appointment. ONE MEMBER SHALL BE A PHYSICAL THERAPIST ASSISTANT WHO IS A
45 RESIDENT OF THIS STATE, POSSESSES AN UNRESTRICTED CERTIFICATE ISSUED PURSUANT

1 TO THIS CHAPTER AND HAS BEEN PERFORMING SELECTED INTERVENTIONS IN THIS STATE
2 FOR AT LEAST FIVE YEARS BEFORE THE PERSON'S APPOINTMENT. The governor shall
3 also appoint two public members who are residents of this state and who are
4 not affiliated with, and do not have a financial interest in, any health care
5 profession but who have an interest in consumer rights.

6 B. Board members serve staggered four year terms. Board members shall
7 not serve for more than two successive four year terms or for more than ten
8 consecutive years. By approval of a majority of the board, a member's
9 service may extend at the completion of a four year term until a new member
10 is appointed or the current member is reappointed.

11 C. If requested by the board the governor may remove a board member
12 for misconduct, incompetence or neglect of duty.

13 D. Board members are eligible for reimbursement of expenses pursuant
14 to title 38, chapter 4, article 2 to cover necessary expenses for attending
15 each board meeting or for representing the board in an official board
16 approved activity.

17 E. A board member who acts within the scope of board duties, without
18 malice and in the reasonable belief that the person's action is warranted by
19 law is immune from civil liability.

20 Sec. 3. Section 32-2043, Arizona Revised Statutes, is amended to read:

21 32-2043. Supervision; patient care management

22 A. A physical therapist is responsible for patient care given by
23 assistive personnel under the physical therapist's supervision. A physical
24 therapist may delegate to assistive personnel and supervise selected acts,
25 tasks or procedures that fall within the scope of physical therapy practice
26 but that do not exceed the education or training of the assistive personnel.

27 ~~B. A physical therapist assistant shall function under the on-site~~
28 ~~supervision of a licensed physical therapist and as prescribed by board~~
29 ~~rules.~~

30 B. A PHYSICAL THERAPIST ASSISTANT CERTIFIED PURSUANT TO THIS CHAPTER
31 MAY PERFORM SELECTED INTERVENTIONS UNDER THE GENERAL SUPERVISION OF A
32 PHYSICAL THERAPIST LICENSED PURSUANT TO THIS CHAPTER.

33 C. A physical therapy aide and other assistive personnel shall perform
34 designated routine tasks only under the on-site supervision of a licensed
35 physical therapist who is present in the facility.

36 D. A licensed physical therapist must provide on-site supervision of
37 an interim permit holder.

38 E. A physical therapist student and a physical therapist assistant
39 student must practice under the on-site supervision of a licensed physical
40 therapist.

41 F. A physical therapist is responsible for managing all aspects of the
42 physical therapy care of each patient. A physical therapist must provide:

- 43 1. The initial evaluation OF and documentation for a patient.
44 2. Periodic reevaluation OF and documentation of FOR a patient.

1 3. The documented discharge of a patient, including the response to
2 therapeutic intervention at the time of discharge.

3 G. A physical therapist must verify the qualifications of physical
4 therapist assistants and other assistive personnel under the physical
5 therapist's direction and supervision.

6 H. For each patient on each date of service, a physical therapist must
7 provide and document all of the therapeutic intervention that requires the
8 expertise of a physical therapist and must determine the use of physical
9 therapist assistants and other assistive personnel to ensure the delivery of
10 care that is safe, effective and efficient. Documentation for each date of
11 service must be as prescribed by the board by rule.

12 I. A physical therapist assistant must document care provided but may
13 do so without the co-signature of the supervising physical therapist if the
14 physical therapist complies with the requirements of subsections G and H.

15 J. A physical therapist's responsibility for patient care management
16 includes accurate documentation and billing of the services provided.

17 Sec. 4. Supervision of physical therapist assistants and
18 assistive personnel; rules; interim requirements

19 The board shall adopt rules to prescribe requirements relating to the
20 supervision of physical therapist assistants and assistive personnel. Until
21 these rules are adopted the following requirements apply:

22 1. A physical therapist assistant must be within fifty miles of the
23 supervising physical therapist if the physical therapist assistant is
24 providing treatment interventions off site.

25 2. A physical therapist assistant must document evidence of general
26 supervision for each visit, including evidence of the supervisory physical
27 therapist of record.

28 3. To be able to perform under the general supervision of a physical
29 therapist, a physical therapist assistant must possess evidence of at least
30 two thousand hours of experience of working with patients under on-site
31 supervision.

32 4. A physical therapist must concurrently supervise not more than
33 three assistive personnel, at least one of whom is a physical therapist
34 assistant. When performing treatment interventions under general
35 supervision, a physical therapist may supervise not more than two physical
36 therapist assistants at any one time.

37 5. A patient who is receiving physical therapy services by qualified
38 personnel who are performing treatment interventions under general
39 supervision must be seen by the supervising physical therapist of record at
40 least once every six visits or fourteen calendar days, whichever occurs
41 first.

42 6. The supervising physical therapist retains the right to determine
43 the use of assistive personnel based on the physical therapist's
44 determination of a patient's acuity and treatment plan.